

NOTICE AND AGENDA
Apple Valley Utah
Planning Commission

Public notice is given that the Planning Commission of the Town of Apple Valley, Washington County, Utah will hold a **Planning Commission** meeting on **Wednesday, September 11, 2019** at the **Apple Valley Town Hall**, 1777 N. Meadowlark Dr., Apple Valley, Utah, commencing at 6:00 PM or shortly thereafter. In accordance with state statute, one or more members may be connected via speakerphone.

The Agenda for the meeting is as follows:

Call to Order/ Pledge of Allegiance/ Roll Call

Discussion and Action Items:

- A. Town Code 10.26 "Outdoor Lighting"
- B. Town Code 10.28.230 "Accessory Building and Accessory Uses General Requirements"
- C. Town Code 10.28.100 "Parking Requirements of Private Recreational Vehicles in Residential Zones"

Approval of Minutes:

- D. Approval of Minutes
8.14.2019
8.21.2019

Adjournment

CERTIFICATE OF POSTING: I, Michelle Kinney, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this notice was posted at the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov on the **5th day of September, 2019**.

Dated this 5th day of September, 2019

Michelle Kinney, Recorder
Town of Apple Valley

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS and MEETINGS
In compliance with the American with Disabilities Act, individuals needing special accommodations (Including auxiliary communicative aids and services) during this meeting should notify Michelle Kinney at 435-877-1190.

10.28.230 Accessory Buildings And Accessory Uses General Requirements Edit

1. Accessory buildings and accessory uses may be authorized in association with a primary building or primary use.
2. Accessory buildings and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.
3. An accessory garage may be attached to, or detached from, the primary building.
 1. An accessory garage that is attached to a primary building shall meet all requirements for the location of the primary building.
 1. All garages and other accessory buildings located within ten feet (10') of the primary building shall be considered attached and part of the primary building and the setback requirements applicable to the primary building shall apply
 2. See also AVLU 10.28.240.
4. An accessory garage that is detached from a primary building shall meet all requirements for the location of a detached accessory building, as provided herein.
 1. All garages and other accessory buildings located ten feet (10') or more away from the primary building may be located no less than three feet (3') from the side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.
 2. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
 3. See also AVLU 10.28.240.
5. Accessory buildings, located on corner lots, shall meet the required corner side yard setback, applicable in the zoning district in which the accessory building is located.
6. Accessory buildings, except for agricultural use accessory buildings, shall be constructed of similar materials and colors and be an architectural style designed to blend with the primary building.
7. Agricultural use accessory buildings, including barns and stables, shall be constructed of serviceable building materials.
8. Accessory buildings shall comply with the requirements of the adopted building code, as applicable.
9. No mobile home, travel trailer, boat or similar recreational vehicle shall be used as an accessory building.
10. ~~No~~Any shipping container, cargo container, shipping crate, box, trailer or similar piece of equipment ~~over 200 square feet to or object shall~~ be used as an accessory building, shall require a building permit and unless said container meets the requirements of this section. No more than one shipping container, of any size, allowed per lot.
11. No utility connections or meters, separate from the primary building, shall be allowed for accessory buildings. Unless required by code.
12. No accessory buildings shall be rented, leased or sold separately from the rental, lease or sale of the primary building.
13. No accessory building shall be used as a permanent dwelling unit.
14. No accessory building shall be located closer than three feet (3') to any side or rear property line, and no portion of any garage or accessory building, including any roof overhangs, shall be allowed within one foot (1') of any property line.
15. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
16. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of AVLU 10.10.050 B.

OPENING

Chairperson Browning brought the meeting to order at 6:01 p.m. and led the Pledge of Allegiance.

ROLL CALL/PRESENT

Chairperson Browning
Commissioner Prentice
Commissioner Jorgensen
Commissioner Kuehne

Town Recorder Michelle Kinney

EXCUSED

Lee Fralish

DISCUSSION AND POSSIBLE ACTION

A. Lot Line Adjustment making AV-CDPT-1-18 and AV-CDPT-1-19 into one lot- Scott Taylor

Scott Taylor mentions that they want to combine lots so they can build their home in the middle of the two lots. The lots are only 90 feet wide; with the setback it makes it a little tight to put the house. This will also provide them with more space from neighbors.

Commissioner Jorgensen mentions that if there are any utility easements they will need to have those utility easements abandoned by the town.

Commissioner Kuehne mentions they will need to abandon a water meter.

MOTION: Chairperson Browning moves to forward to the TC for approval

SECOND: Commissioner Kuehne

VOTE: Chairperson Browning called for a vote:

Chairperson Browning Aye

Commissioner Prentice- Aye

Commissioner Kuehne- Aye

Commissioner Jorgensen- Aye

The vote was unanimous and the motion carried.

B. Request of Approval for Changes to Cabin Sizes for Phases 2 and 3 of Gooseberry Lodges- Aaron Stout

These changes are for phase 2 only. Aaron Stout shows the sight plan with the modified cabin sizes he would like approved. The larger cabins are sized 14X17 and they would like to make

them 16X18. This will allow for a larger kitchen, bath tub, and an option for a king size bed. Nine foot walls instead of 8 foot walls.

Small units are 8X12 and they would like to increase the size to 10X15. These will still be used as for bunkhouses. There will be 23 feet between each cabin.

The initial site plan and construction drawings have been approved. There was talk about a berm and fencing at the end of phase 2 that will be going in before phase 3 begins.

Chairperson Browning is wondering if they will shield the porch lights that currently glare onto the highway.

MOTION: Commissioner Jorgensen moves to accept the proposed increase in cabins sizes for phase 2 of Gooseberry Lodges and forward to the town council.

SECOND: Commissioner Prentice

VOTE: Chairperson called for a vote:

Chairperson Browning-	Aye
Commissioner Prentice-	Aye
Commissioner Kuehne-	Aye
Commissioner Jorgensen-	Aye

The vote was unanimous and the motion carried.

C. General Plan Change Proposal for Bubbling Wells Area

The mayor mentions that residents in the area would like large lots in the area. He conveys a message from Bruce Hubrecht who asks why the town would move to 5 acre lots when the CCR's require a minimum of 20 acre lots.

The Mayor mentions the importance of the general map designating this as a low density area. The General Plan should have a legend of definitions for the map that designates what each designation means.

The Commission would like to have the general map legend definitions on the next agenda. Rich Kopp asks what happens if the current zoning doesn't meet the changes to the general plan. Ben mentions the general plan doesn't have to match the current zoning.

The commission and residents have a conversation about CCR's.

MOTION: Commissioner Prentice moves to table for the next work meeting

SECOND: Commissioner Jorgensen

VOTE: Chairperson called for a vote:

Chairperson Browning-	Aye
Commissioner Prentice-	Aye
Commissioner Kuehne-	Aye
Commissioner Jorgensen-	Aye

The vote was unanimous and the motion carried.

D. Town Code 10.26. "Outdoor Lighting" Discussion

The mayor mentions a code enforcement issue has come up on lighting. He explains that the

code currently doesn't require a shield for outdoor lighting on a horizontal plane and less than 900 lumens.

Commissioner Prentice would like our town to be designated as a dark sky town. Margie Ososki mentions that she would like a chart that explains watts and lumens.

They would like to have a diagram that shows acceptable and not acceptable lighting options included in the code.

MOTION: Chairperson Browning moves to discuss the outdoor lighting and wording changes at the work meeting.

SECOND: Commissioner Jorgensen

VOTE: Chairperson called for a vote:

Chairperson Browning-	Aye
Commissioner Prentice-	Aye
Commissioner Kuehne-	Aye
Commissioner Jorgensen-	Aye

The vote was unanimous and the motion carried.

A suggestion is made to look at the code Ivins has adopted for their night sky ordinance.

E. Town Code 10.28.100 "Parking Requirements of Private Recreational Vehicles in Residential Zones" Discussion

Time stamp 1:07:00

Our current code allows for people to stay 120 days in an RV.

Items for the work meeting that are of highest priority include Bubbling wells, outdoor lighting, and RV's.

It is decided that they will have a work meeting after Town Council Meeting on August 21st.

Start the work meeting at 6:15 after the town council meeting.

The mayor would like to have the shipping container code changed to read more clearly. They will look into the feasibility of a total ban of shipping containers over 20 feet.

APPROVAL OF MINUTES

F. MINUTES FOR 7.10.2019

MOTION: Commissioner Kuehne moves to approve the minutes for 7.10.2019

SECOND: Commissioner Browning

VOTE: Chairperson called for a vote:

Chairperson Browning	Aye
Commissioner Prentice	Aye
Commissioner Kuehne	Aye
Commissioner Jorgensen	Abstain (absent at this meeting)

The vote was unanimous and the motion carried.

ADJOURNMENT

MOTION: Commissioner Prentice moves to adjourn
SECOND: Commissioner Jorgensen
VOTE: Chairperson called for a vote:
Chairperson Browning Aye
Commissioner Janet Prentice Aye
Commissioner Jorgensen Aye
Commissioner Kuehne Aye

The vote was unanimous and the motion carried

Meeting adjourned at 7:30 pm.

Date approved: _____

Chairperson Browning

ATTEST BY: _____
Michelle Kinney, Recorder

OPENING

Janet Prentice brought the meeting to order at 6:50 p.m. and led the Pledge of Allegiance.

ROLL CALL/PRESENT

Commissioner Prentice
Commissioner Jorgensen
Commissioner Kuehne
Commissioner Fralish

Deputy Clerk Ben Billingsley

EXCUSED

Commissioner Browning

WORK MEETING TOPICS

A. Town Code 10.26 “Outdoor Lighting”

Mayor suggested that the current 900 lumen light can be easily fixed by requiring shielding on all outdoor lights.

- Total lumens
- Brightness
- Temperature

Commissioner Prentice brought up Christmas lights, or permanently installed LED lights mounted to the exterior of home.

Mayor mentioned permanently installed holiday lights should only be illuminated on holidays for LED lights that can change the color on the holiday.

Commissioner Kuehne pointed out that shielding is already covered for lights over 900 lumens. Mayor mentioned that 900 lumens can be a very bright light, something even at 800 should be shielded. Color should be defined for lights under 900 lumens.

Commissioners Prentice and Fralish discuss Kayenta as an example, and that they are on the extreme end of the dark sky ordinances.

Commissioner Prentice stated she would like to see street lamp height regulated. She would also like to see Apple Valley designated as a dark sky community.

Commissioner Kuehne mentioned that a large portion of the current outdoor lighting ordinance has a lot of information that isn't relevant such as underground parking.

Commissioner Kuehne asked if Virgin has a night sky ordinance. Commissioner Fralish mentioned Virgin doesn't have anything. Springdale may have something on file.

Commissioner Prentice mentioned that we should not allow street lights. Mayor mentioned that Kayenta has exactly what we're going for with low street lamps. Jepson Canyon was mentioned, it was anticipated that Hank Isaakson would be on board with complying with dark skies since they will have a planetarium. She also mentioned her priorities are to restrict timing on spotlights to less than 5 minutes, and total lumens

B. Town Code 10.28.100 "Parking Requirements of Private Recreational Vehicles in Residential Zones"

Mayor mentioned he felt like a total number of days per year would resolve the ability for someone to remove the RV from the property for a day and come back for another 120 days.

Commissioner Prentice wanted to make sure residents building a home while living in RV. It was mentioned this is covered under a different section.

Mayor mentioned that we should include semi-trailer in parking. Commissioner Kuehne thought this should be covered in a different section of the code.

Commissioner Kuehne suggested the maximum allowable time to park on the side of a home would be 10 days, after that they need to come in and get a permit that would be good for up to 60 days.

Commissioner Kuehne expressed concern that per calendar year enables double the time after the rollover of the calendar year.

Mayor mentioned that location in yard could be a problem. He would like to see a free permit issued by office staff.

Commissioner Kuehne mentioned that the code currently reads that the current code only allows the homeowner to have people live in their RV.

Commissioner Fralish felt like this permit should only be issued to RV's **not owned** by the homeowner. Commissioner Kuehne mentioned that there are challenges with this also.

Commissioner Kuehne would like to see the RV requirement to be parked in the side or rear yard.

Commissioner Prentice mentioned 21 days should be the length of the permit. Mayor mentioned 21 days seemed a little short to him. Commissioner Kuehne felt like 30 days should be sufficient. Mayor mentioned that you put a cap on total days.

Commissioner Kuehne felt like we had enough information to draft a proposal to amend this ordinance.

Commissioner Prentice mentioned that they should have a 30 day parking permit on a side or rear yard when possible. They will fine tune this at the August 28th meeting.

C. Land Use Code 10.28.230 “Accessory Buildings and Accessory Uses General Requirements”

Commissioner Kuehne mentioned this item is on the agenda to discuss the shipping container issue.

Ben Billingsley mentioned when this code was adopted in 2010, in the Planning Commission and Town Council intended this code to only allow for 20’ containers, and for the paint to match, not necessarily to stucco the container.

Mayor mentioned he would like to see a restriction on overall length, to not allow the 40’ containers at all. He said we could clean up the code without a hearing notice by just adding the requirements of this section to section J. Mayor also suggests that we add a shipping container survey on the website.

Commissioner Kuehne proposed that we just copy and paste the requirements to clarify the requirements to allow a shipping container.

Anything 200 square feet and over requires a permit.

D. General Plan Legend and Definitions

Commissioner Prentice mentioned that she had intended to review this, but was not able to prior to this meeting.

Resident Rich Kopp made the proposal that High Density be up to 1 acre, Medium Density 1-5 acre, and over 5 acres would be low density.

Commissioner Kuehne mentioned that there should be consideration for multiple family housing, which could be incorporated into high density, but could also be separated.

Discussion about where the manufacturing areas would be located or if we would even have any.

Mayor mentioned that with major changes he thinks it would be beneficial to get community feedback through online surveys to see what the residents would like to see.

ADJOURNMENT

MOTION:	Commissioner Jorgensen moved to adjourn
SECOND:	Commissioner Fralish
VOTE:	Chairperson called for a vote:
	Commissioner Janet Prentice Aye
	Commissioner Jorgensen Aye
	Commissioner Kuehne Aye
	Commissioner Fralish Aye

The vote was unanimous and the motion carried

Meeting adjourned at 8:20pm.

Date approved: _____

Chairperson Browning

ATTEST BY: _____
Michelle Kinney, Recorder